APPENDIX.

[Vide item VI (2) on page 27 supra.]

L.C. BILL No. 3 OF 1957.

(As passed by the Council.)

A Bill further to amend the Motor Vehicles Act, 1939, *in its application to the State of Madras.*

WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939 (Central Act IV of 1939), in its application to the State of Madras, for the purposes hereinafter appearing;

BE it enacted in the Eighth Year of the Republic of India as follows :—

1. *Short title and extent.*—(1) This Act may be called the Motor Vehicles (Madras Amendment) Act, 1957.

(2) It extends to the whole of the State of Madras.

2. *Amendment of section* 44, *Central Act IV of* 1939.—For the provisos to sub-section (2) of section 44 of the Motor Vehicles Act, 1939 (Central Act IV of 1939), the following provisos shall be subsituted, namely :—

" Provided that nothing in this sub-section shall be construed as debarring an official (other than an official connected directly with the management or operation of a transport undertaking) from being appointed as or continuing as a member of any such Authority merely by reason of the fact that the Government employing the official has, or acquires, any financial interest in a transport undertaking :

Provided further that if the State Government thinks fit, the State Transport Authority or a Regional Transport Authority may consist of a single official only."

3. *Repeal of Madras Ordinance II of* 1957.—(1) The Motor Vehicles (Madras Amendment) Ordinance, 1957 (Madras Ordinance II of 1957), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the Motor Vehicles Act, 1939 (Central Act IV of 1939), as amended by the said Ordinance, shall be deemed to have been done or taken in the exercise of the powers conferred by or under the said Act, as if this Act were in force on the day on which such thing was done or action was taken.

4. *Certain things done or orders passed not to be deemed invalid.*—Anything done, or any action taken or any order passed on or after the 1st day of August 1957 and before the 17th day of September 1957 by the State Transport Authority or by a Regional Transport Authority or by an authority or person to whom the powers and functions of the State Transport Authority

or a Regional Transport Authority have been delegated, shall not be deemed to be invalid merely by reason of the fact that the State Transport Authority or the Regional Transport Authority, as the case may be, had not been constituted or had not been validly constituted.

STATEMENT OF OBJECTS AND REASONS.

It has been found in actual experience that the constitution of Transport Authorities with a single official has been working satisfactorily. The Government have therefore decided to take powers to continue this system by amending suitably the provisions of the Motor Vehicles Act, 1939 (Central Act IV of 1939), as amended by the Motor Vehicles (Amendment) Act, 1956 (Central Act 100 of 1956). This decision has been given effect to by the promulgation of the Motor Vehicles (Madras Amendment) Ordinance, 1957 (Madras Ordinance II of 1957). The present Bill seeks to replace that Ordinance with necessary validating provisions.

V. RAMAIAH,
Minister-in-charge of Electricity.

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ANNEXURE TO THE MOTOR VEHICLES (MADRAS AMENDMENT) BILL, 1957.

Existing section.	*Section embodying amendment.*
44. *Transport Authorities—*	
(1)	No change.
(2) A State Transport Authority or a Regional Transport Authority shall consist of a Chairman who has had judicial experience and such other officials and non-officials, not being less than two, as the State Government may think fit to appoint; but no person who has any financial interest whether as proprietor, employee or otherwise in any transport undertaking shall be appointed as or continue as a member of a State or Regional Transport Authority, and, if any person being a member of any such authority acquires a financial interest in any transport undertaking, he shall, within four weeks of so doing, give notice in writing to the State Government of the acquisition of such interest and shall vacate office :	No change.
* [Provided that if the State Government thinks fit, the State Transport Authority or a Regional Transport Authority may consist of single offical :	*Provided that nothing in this sub-section shall be construed as debarring an official (other than an official connected directly with the management or operation of a transport undertaking) from being appointed as or continuing as a member of any such Authority merely by reason of the fact that the Government employing the official has, or acquires, any financial interest in a transport undertaking :*
Provided further that an official shall not be deemed to have a financial interest as aforesaid merely by reason of the fact that the State Government employing him has such an interest.]	

Existing section.	*Section embodying amendment.*
† [Provided that nothing in this sub-section shall be construed as debarring an official (other than an official connected directly with the management or operation of a transport undertaking) from being appointed as or continuing as a member of any such Authority merely by reason of the fact that the Government employing the official has, or acquires, any financial interest in a transport undertaking.]	*Provided further that if the State Government thinks fit, the State Transport Authority or a Regional Transport Authority may consist of a single official only.*

* Added by the Motor Vehicles (Madras Amendment) Act, 1948 (Madras Act XX of 1948).

† Added by the Motor Vehicles (Amendment) Act, 1956 (Central Act 100 of 1956).

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